



Action taken at the Annual Town Meeting held May 12, 2014 at the Belchertown High School Veterans' Auditorium

FY15

Moderator – Frances J. South

Meeting called to order 7:30PM

Registered voters present – 200 (Quorum requires 75)

The Clerk read the Warrant

Raymond J. Janke, III, Veterans' Agent led the group in the Pledge of Allegiance and the National Anthem was performed by the Belchertown High School Concert Choir

Selectman William R. Barnett presented the Citizen of the Year Award to David M. Haines

Selectman Ronald E. Aponte presented the Volunteer of the Year Award to Paul M. Silva

Selectman Ronald E. Aponte presented the Employee of the Year Award to Theresa A. Rothwell

Selectman Kenneth E. Elstein presented the William "Gerry" Whitlock Award to William R. Barnett

Article 1 Voted to elect Paul Anziano and Ellen Lachance as Almoners of the Whiting Street and Mrs. Susan M.D. Bridgman Funds, each for one year; and the following individual as Trustee of the Calvin Bridgman Fund: Ken Snow for a one year term; Carol Wagner for three years.

(Vote – Unanimous Yes)

Article 2 Voted to accept the reports of the officers of the Town with the exception of the Finance Committee.

(Vote – Unanimous Yes)

Article 3 Voted to authorize the Assessors and the Board of Health members to appoint themselves to work in their various departments for the ensuing fiscal year, at hourly rates not exceeding the following:

➤ Assessors \$9.29

➤ Board of Health Members \$7.25

(Endorsed by Finance Committee 5-0-0 Yes)

(Vote – Majority Yes)

Article 4 Voted to raise and appropriate the sum of \$100.00 to be used by the Assessors for legal counsel in resolving court tax cases. (Endorsed by Finance Committee 5-0-0 Yes)

(Vote – Unanimous Yes)

Article 5 Voted to raise and appropriate the sum of \$30,000.00 to the Reserve Fund for use by the Finance Committee. (Endorsed by Finance Committee 5-0-0 Yes)

(Vote – Unanimous Yes)

Article 6 Voted to authorize the Board of Selectmen to apply for and accept funds from the Commonwealth of Massachusetts Highway Improvement Program for use on approved town ways. (Endorsed by Finance Committee 5-0-0 Yes)

(Vote – Unanimous Yes)

Article 7 Voted to appropriate from the Sale of Cemetery Lots Account the sum of \$2,500.00 to the Cemetery Lot Development Account. (Endorsed by Finance Committee 5-0-0 Yes)

(Vote – Unanimous Yes)

Article 8 Voted to authorize the Board of Selectmen to apply for Massachusetts Small Cities Program or other Federal or State monies and to expend any monies received as set forth in the application following a public hearing. (Endorsed by Finance Committee 5-0-0 Yes)

(Vote – Unanimous Yes)

Article 9 Voted to fix the salaries and compensation of all elected officers of the Town, as provided for by Section 108 of Chapter 41 of the Massachusetts General Laws, as amended; to raise and appropriate or appropriate from available funds in the Treasury for departmental and incidental expenses of the Town for the ensuing fiscal year; and that the various major categories of the budget as contained in the Finance Committee's report be considered separately and acted upon; and further that these sums of money

granted and appropriated for the several specific purposes therein designated, be expended only for those purposes as specifically designated and under the direction of the respective officers, boards and committees of the Town. (Endorsed by Finance Committee 4-0-1 Yes)

(Vote – Majority Yes)

Voted to raise and appropriate the sum of \$1,730,519 for General Government, each item and amount recommended in the Finance Committee's report being considered as a separate appropriation voted by Town Meeting. (Endorsed by Finance Committee 4-0-1 Yes)

(Vote – Unanimous Yes)

Voted to raise and appropriate the sum of \$3,018,063 and appropriate the sum of \$625,000 from the Ambulance Receipts Reserved for Appropriation Account, for a total appropriation of \$3,643,063 for Public Safety, each item and amount recommended in the Finance Committee's report being considered as a separate appropriation voted by Town Meeting. (Endorsed by Finance Committee 3-0-2 Yes)

(Vote – unanimous Yes)

Voted to raise and appropriate the sum of \$26,398,175, and appropriate from free cash in the Treasury the sum of \$200,000, for a total appropriation of \$26,598,175 for the Town School Department each item and amount recommended in the Finance Committee's report being considered as a separate appropriation voted by Town Meeting. (Endorsed by Finance Committee 4-0-1 yes)

(Vote – Majority Yes)

Voted to raise and appropriate the sum of \$1,116,631 for the Pathfinder Regional Vocational Technical High School District, each item and amount recommended in the Finance Committee's report being considered as a separate appropriation voted by Town Meeting. (Endorsed by Finance Committee 4-0-1 Yes)

(Vote – Unanimous Yes)

Voted to raise and appropriate the sum of \$1,622,883 for the DPW-Highways, each item and amount recommended in the Finance Committee's report being considered as a separate appropriation voted by Town Meeting. (Endorsed by Finance Committee 4-0-1 Yes)

(Vote – Unanimous Yes)

Voted to appropriate from Landfill receipts the sum of \$259,776 and appropriate from Landfill Enterprise free cash in the Treasury the sum of \$1,887 for a total appropriation of \$261,663 to the Landfill Enterprise Fund, each item and amount recommended in the Finance Committee's report being considered as a separate appropriation voted by Town Meeting. (Endorsed by Finance Committee 4-0-1 Yes)

(Vote – Unanimous Yes)

Voted to appropriate from Sewer Enterprise free cash in the Treasury the sum of \$205,961 and appropriate from Sewer receipts the sum of \$1,415,139 for a total appropriation of \$1,621,100 to the Sewer Enterprise Fund, each item and amount recommended in the Finance Committee's report being considered as a separate appropriation voted by Town Meeting. (Endorsed by Finance Committee 4-0-1 Yes)

(Vote – Unanimous Yes)

Voted to raise and appropriate the sum of \$823,680 for the Human Services Departments, each item and amount recommended in the Finance Committee's report being considered as a separate appropriation voted by Town Meeting. (Endorsed by Finance Committee 4-0-1 Yes)

(Vote – Unanimous Yes)

Voted to raise and appropriate the sum of \$714,578 for Culture and Recreation Departments, each item and amount recommended in the Finance Committee's report being considered as a separate appropriation voted by Town Meeting. (Endorsed by Finance Committee 4-0-1 Yes)

(Vote – Unanimous Yes)

Voted to raise and appropriate the sum of \$726,030 for DPW Buildings and Grounds Departments, each item and amount recommended in the Finance Committee’s report being considered as a separate appropriation voted by Town Meeting. (Endorsed by Finance Committee 4-0-1 Yes)

(Vote – Unanimous Yes)

Voted raise and appropriate the sum of \$3,255,629, and appropriate from the Stabilization Fund the sum of \$450,000 for a total appropriation of \$3,705,629 to the Pensions and Insurance Accounts, each item and amount recommended in the Finance Committee’s report being considered as a separate appropriation voted by Town Meeting. (Endorsed by Finance Committee 4-0-1 Yes)

(Vote – 2/3 Required – Unanimous Yes)

Voted to raise and appropriate the sum of \$55,123 to the Unclassified Accounts, each item and amount recommended in the Finance Committee’s report being considered as a separate appropriation voted by Town Meeting. (Endorsed by Finance Committee 4-0-1 Yes)

(Vote – Unanimous Yes)

Voted to raise and appropriate the sum of \$3,372,696 for the Interest and Debt Accounts, each item and amount recommended in the Finance Committee’s report being considered as a separate appropriation voted by Town Meeting. (Endorsed by Finance Committee 4-0-1 Yes)

(Vote – Unanimous Yes)

Voted to raise and appropriate the sum of \$3,750 for Hampshire Council of Governments, each item and amount recommended in the Finance Committee’s report being considered as a separate appropriation voted by Town Meeting. (Endorsed by Finance Committee 4-0-1 Yes)

(Vote – Majority Yes)

Article 10

Voted to authorized the use of the following funds pursuant to MGL, Chapter 44, Section 53E ½ for the fiscal year beginning July 1, 2014 to be credited with receipts from the following revenue sources, to be expended under the authority and the direction of the following agencies or officials, for the following purposes, not to exceed the following spending limits respectively.

Fund	Revenue Source	Authority to Spend Funds	Use of Funds	Spending Limit	Restrictions/ Comments
Senior Center Transportation Program	Receipts from said Transportation Program	Director of the Senior Center	Operation of Senior Center Transportation Program	\$25,000	None
Council on Aging Programs	Receipts from said Programs	Council on Aging	Operation of Council on Aging Programs	\$10,000	None
Firefighters’ Protective Clothing & Equipment Purchase	Receipts from Open Air Burning Permit Fees	Fire Chief	Firefighters’ Protective Clothing & Equipment Purchase & Maintenance	\$10,000	None
Town Beach Concession	Receipts from said Concession	Recreation Director	Operating Town Beach Concession	\$15,000	None
Operating Town Beach	Receipts from Daily & Seasonal Entrance Fees	Recreation Director	Operating Town Beach	\$50,000	None
Pool Programs	Receipts from said Programs	Recreation Director	Pool Programs	\$130,000	None
Tween and up Programs	Receipts from said Programs	Recreation Director	Tween and up programs	\$25,000	None
Witnessing and Documenting Percolation Tests	Receipts from said Witnessing and Documenting tests	Board of Health	Witnessing & Documenting Percolation Tests	\$15,000	None
Police Department Technology Fund	Receipts from Firearms License & FID Card Fees	Police Chief or his designee	Police Department Technology, Firearms Licensing & FID Card Fees	\$15,000	None
Transportation of pupils in Grades 7-12	Receipts from said Transportation	School Committee	Transportation of pupils in Grades 7-12	\$150,000	None

(Endorsed by Finance Committee 5-0-0 Yes)

(Vote – Unanimous Yes)

Article 11 Voted to amend the Code of Belchertown, Chapter 91, Personnel, as previously amended, in the following prescribed manner.

In 91 Attachment 1, Appendix A, Town Classification-Compensation Plan:

➤ **Replace** Management, Administrative or Professional Exempt chart as follows:

Effective July 1, 2014 through June 30, 2015

Director of Public Works	\$82,609-\$105,454
Fire Chief	\$82,609-\$105,454
Director of Information Technology	\$68,841-\$87,879
Town Planner	\$68,841-\$87,879
Town Treasurer-Collector	\$65,563-\$83,694
Town Accountant	\$65,563-\$83,694
Building Commissioner	\$65,563-\$83,694
Director of Assessments	\$65,563-\$83,694
Conservation Administrator	\$63,041-\$80,475
Council on Aging Executive Director	\$63,041-\$80,475
Director of Parks & Recreation	\$63,041-\$80,475
Veterans' Agent	\$59,196-\$75,566

- **Under** Classified Nonexempt Employees, amend the following titles:
- Certified Pool Operator **to** Certified Pool Operator/Maintenance
 - Council on Aging Receptionist/Dispatch Supervisor **to** Council on Aging Receptionist/Transportation Coordinator
 - Head of Circulation and Reference **to** Circulation and Reference Librarian
 - Maintenance Department Working Foreman **to** Buildings & Grounds Foreman
 - Director of Emergency Medical Services **to** Fire Captain/EMS Director

- **Amend** the following title and grade:
- Assistant Cook (Grade 3) **to** Cook and Assistant Elder Nutrition Program Coordinator (Grade 4)

- **Remove** the following title:
- Technical Office Assistant

- **Insert** the following titles and grades:
- Technical Office Assistant – Inspection Services (Grade 5)
 - Technical Office Assistant – Planning (Grade 5)
 - Technical Office Assistant – Assessing (Grade 6)
 - EMT – Intermediate (Grade 5)
 - EMT – Paramedic (Grade 6)
 - Firefighter/Paramedic (Grade 7)

- In 91 Attachment 1, Appendix B – Weekly Salary Schedule for Classified Employees:
- **Remove** compensation charts ending August 31, 2013 and June 30, 2014, and insert the following chart effective July 1, 2014 to end June 30, 2015:

Effective July 1, 2014 through June 30, 2015

Grade	Step 1	Step 2	Step 3	Step 4	Step 5	Step 6	Step 7	Step 8	Step 9	Step 10
1	10.75	11.05	11.34	11.66	11.97	12.31	12.65	12.99	13.35	13.72
2	13.97	14.35	14.75	15.16	15.58	16.00	16.44	16.89	17.36	17.84
3	16.07	16.51	16.96	17.43	17.91	18.40	18.91	19.43	19.96	20.51
4	18.47	18.98	19.50	20.04	20.59	21.17	21.75	22.34	22.96	23.58
5	20.33	20.88	21.46	22.05	22.65	23.28	23.92	24.57	25.26	25.95
6	22.36	22.97	23.60	24.26	24.92	25.60	26.31	27.03	27.77	28.54
7	24.59	25.27	25.96	26.68	27.41	28.16	28.94	29.73	30.55	31.40
8	25.58	26.28	27.00	27.74	28.51	29.29	30.10	30.93	31.77	32.65
9	26.60	27.34	28.08	28.86	29.65	30.47	31.30	32.16	33.05	33.96
10	28.46	29.24	30.05	30.88	31.72	32.60	33.50	34.41	35.36	36.33

(Vote – Majority Yes)

Article 12 **Citizen Petition:** There was a motion made by Max Bock to see if the Town of Belchertown will vote to withdraw from the Hampshire Council of Governments, the effective date of said withdrawal to be July 1, 2014, and to acknowledge, pursuant to the Administrative Code of the Legislative, Charter & Code Committee of the Hampshire Council of Governments, that all obligations of the Town of Belchertown to the Hampshire Council of Governments will be met up until said effective date, and that the Town of Belchertown's allocable share of the fiscal obligations of said Council will remain a responsibility of the Town.

“Much Discussion”

A motion was made by Ronald Aponte to take no action.

(Vote – Yes 98, No 71 - Majority Yes – Take No Action)

Article 13 Voted to increase the charge for each written demand issued by the Collector from \$5.00 to \$10.00 which will be added to and collected as part of the tax as authorized under MGL Chapter 60, Section 15, effective as of July 1, 2014. (Endorsed by Finance 5-0-0 Yes)

(Vote – Unanimous Yes)

Article 14 Voted to authorize the Board of Selectmen to accept a deed in lieu of foreclosure for a parcel of land located on Sargent Street as shown on Assessors Map 237, Lot 100 and assessed to James N. and Catherine M. Hayward as authorized by MGL Chapter 60, Section 77C.

(Vote – Majority Yes)

Article 15 Voted to authorize the Board of Selectmen to enter into a lease contract of up to five years for Department of Public Works vehicle leases.

(Vote – Majority Yes)

Article 16 Voted to authorize the School Committee to enter into a lease contract of up to five years for technology hardware and infrastructure. (Endorsed by Finance Committee 4-0-1 Yes)

(Vote – Unanimous Yes)

Article 17 Voted to authorize and approve a 20 year Tax Agreement pursuant to the provisions of MGL Chapter 59, Section 38H (b), MGL Chapter 160, Section 1, or any other enabling legislation, between the Town and Housatonic Solar 1, LLC for a solar facility to be installed, owned and operated by Housatonic Solar 1, LLC on land located on Springfield Road, and shown on Assessors Map 255-126, upon such terms and conditions as the Board of Selectmen deem to be in the best interests of the Town; and further to authorize the Board of Selectmen to take such action as may be necessary to carry out the vote taken hereunder. (Endorsed by Finance Committee 5-0-0 Yes)

(Vote – Unanimous Yes)

Article 18 Voted to amend Code of Belchertown, Chapter 15 – Animals as previously amended, by:

- In Article 1, §15-11. Citations, Section A (3) – Penalty: Add the words “and failure to vaccinate against rabies,” after the words vicious dogs.

The new language will read: Penalty. A penalty for violation of this article may be levied to the maximum of \$50 for each offense, except for vicious dogs and failure to vaccinate against rabies, for which the maximum penalty is \$100, to be paid to the Town Clerk. Each day of a continuing offense shall be considered a separate violation. The enforcing persons for violation of this article are the Animal Control Officer and any police officer of the Town.

- In Article 1, §15-14. Impoundment and release, Section C – Change the number of days impounded dogs are kept from 10 days to 7 days.
- In Article 1, §15-14. Impoundment and Release, Section F – Change the number of days dogs not claimed become property of the Town from 10 days to 7 days.

(Vote – Unanimous Yes)

Article 19 Voted to amend the Zoning By-Law, as previously amended, by adding the following concerning medical marijuana:

1. To Article VII, §145-2, Definitions, add:

Medical Marijuana Treatment Center (MMTC): A use operated by a non-profit entity registered and approved by the Massachusetts Department of Public Health in accordance with 105 CMR 725.000, and pursuant to all other applicable state laws and regulations, also to be known as a Registered Marijuana Dispensary (RMD), that acquires, cultivates, possesses, processes (including development of related products such as food, tinctures, aerosols, oils, or ointments), transfers, transports, sells, distributes, dispenses, or administers marijuana, products containing marijuana, related supplies, or educational materials to registered qualifying patients or their personal caregivers. An MMTC shall explicitly include facilities which cultivate and process medical marijuana, and which may also dispense and deliver medical marijuana and related products.

and

Medical Marijuana Off-Site Dispensary (MMOD): A medical marijuana facility that is located off-site from any cultivation/processing facility that is controlled and operated by the same registered and approved MMTC but which serves only to dispense the processed marijuana, related supplies and educational materials to patients registered and qualified under the provisions of 105 CMR 725.00 or their personal caregivers.

2. To Article VII, §145-11, Schedule of Uses, Industrial Uses, add the new item 9 *Medical Marijuana Treatment Center (MMTC)*, with “N” in all zones except I (Industrial). Under Industrial add “SP/P” and “PA”.
3. To Article VII, §145-11, Schedule of Uses, Business Uses, add the new item 47 *Medical Marijuana Off-Site Dispensary (MMOD)*, with “N” in all zones except B2 (General Business). Under B2 add “SP/P” and “PA”.
(Endorsed Planning Board, Unanimous Yes)
(Vote – 2/3/ Required - Unanimous Yes)

Article 20 Voted to amend the Zoning By-Law, as previously amended, concerning site plan approval and business regulations by adding the following:

1. To Article VII, §145-27, Site plan approval, Item E1(c), add the clause “...and a set of architectural renderings and materials lists for proposed construction consistent with §145-41 (Commercial development and architectural design)”.
2. To Article VII, §145-27, Site plan approval, Item F1, add the new item (h) “The site plan shall demonstrate compliance with §145-41 (Commercial development architectural design).”
3. To Article IX. Business Regulations, to §145-41, add the words “Commercial Development” to the title to fully read “§145-41. Commercial Development Architectural design”.
4. To Article IX. Business Regulations, to §145-41, add the sentence “Commercial development must also adhere to *Commercial Development and Architectural Design Guidelines*.”
(Endorsed by Planning Board, Unanimous Yes)
(Vote – 2/3 required – Unanimous Yes)

Article 21 Voted to amend the Zoning By-Law by inserting into the pertinent sections of the by-law provisions and regulations governing accessory apartments:

Insert into Article I, §145-2, Definitions, the following definition:

Accessory Apartment. An accessory apartment shall mean a separate housekeeping unit, complete with its own sleeping, cooking and sanitary facilities, that is smaller than the principal dwelling unit and separated from it in a manner that maintains the appearance of the primary structure as a single-unit dwelling.

Insert into Article III, §145-11, Schedule of Use Regulations, the following line:

Zone District VR AG-B LR MDR AG-A B-2 B-1 I MHP LI

RESIDENTIAL USES

5. Accessory apartment SP/P SP/P SP/P N SP/P N N N N N N
and renumber the subsequent existing items accordingly.

Insert into Article VII Special Use Regulations, Section 145-30, then renumber subsequent sections accordingly, the proposed new §145-30 as on file with the Town Clerk and Planning Board (and as printed below):

Accessory Apartments

A. GENERAL OBJECTIVES

The provision of accessory apartments is intended to:

- Provide housing options for residents who cannot afford, or who do not desire, a single-unit house with land, for example, young adults and senior citizens; and
- Provide older owners with a means of obtaining rental income, companionship, security and services, and thereby enable them to stay more comfortably in houses and neighborhoods they might otherwise be forced to leave;
- Encourage a more economic and energy-efficient use of the town's housing supply while maintaining the appearance and character of the town's residential neighborhoods;
- Protect the stability, property values, and the single-unit residential character of a neighborhood by ensuring that accessory apartments are installed only in owner-occupied houses and are properly permitted and inspected;
- Add moderately-priced rental units to the housing stock to meet the needs of smaller households and make housing units available to moderate income households who might otherwise have difficulty finding housing;
- To provide housing units for persons with disabilities.

B. PROCEDURE

The Planning Board may issue a special permit for one apartment accessory to the use of a single-unit dwelling, provided each of the following conditions is met:

1. There shall be no more than one accessory apartment on an individual parcel of land, regardless of the parcel's area;
2. The owner of the residence in which the accessory unit is created must continue to occupy at least one of the dwelling units as his or her primary residence. The special permit for the accessory apartment may be revoked by the Planning Board if the owner no longer occupies one of the dwelling units;
3. Up to 33 percent of the gross floor area of the dwelling, not to exceed 600 square feet maximum gross floor area, may be permitted for the accessory apartment; to provide for development of housing units for disabled individuals, the Planning Board may allow reasonable deviation from the stated conditions when necessary to install features that facilitate access and mobility for disabled persons.
4. The accessory apartment shall have only one bedroom;
5. There is no outward evidence that the premises are being used for more than one residential unit. That is:
 - a. All stairways to apartments should be enclosed within the exterior walls of the dwelling. Otherwise, they must not be apparent from the street.
 - b. Any new entrance shall be located on the side or in the rear of the dwelling.
 - c. Where there are two or more existing entrances on the front facade of a dwelling, if modifications are made to any entrance, the result shall be that one entrance appears more prominent than the others.
 - d. The accessory apartment must use the same driveway as the main dwelling unit;
6. The accessory apartment must have the same street address as the main dwelling unit, but with the designation "A" for the apartment, for example, if the house is #123, the accessory apartment would be #123A.
7. Accessory apartments are allowed only in the AG-A, AG-B, LR, and VR zones, and only with a special permit from the Planning Board.
8. Special permits issued under this section shall specify that the owner must occupy one of the dwelling units. Prior to the occupancy of the accessory apartment, the special permit must be recorded in the Hampshire Registry of Deeds or Land Court, as appropriate, in the chain of title to the property, with documentation of the recording provided to the Building Inspector/Zoning Enforcement Officer.
9. When there is a transfer of ownership of a property with a permitted accessory apartment, the new owner may apply for transfer of the special permit for an

accessory apartment by submitting a notarized letter of application stating that the new owner shall occupy one of the dwelling units on the premises. In extenuating circumstances of transfer, such as, but not limited to, inheritance, bankruptcy, or foreclosure, the owner may request the Planning Board modify the owner-occupancy requirement to allow reasonable time to establish occupancy. The period of owner non-residency will normally not exceed one year. During the non-residency period, the owner shall not be allowed to rent both units.

10. Prior to issuance of an accessory apartment special permit, a floor plan must be submitted showing the building, including proposed interior and exterior changes to the building.

C. APARTMENTS CREATED BEFORE THE ADOPTION OF THIS BYLAW

To ensure that accessory apartments in existence before the adoption of this bylaw comply with the Massachusetts building code:

1. Apartments that lawfully existed before the adoption of this bylaw, but do not strictly conform to the terms of this bylaw, are exempt from the terms of this bylaw for the life of the current special permit.
2. The Planning Board may authorize, under a special permit and in conjunction with the building inspector, an accessory apartment in an owner-occupied single-unit dwelling. The board shall review each existing apartment on its individual merits to determine if the dwelling conforms to the Massachusetts building code. The applicant must follow the same procedure described in this bylaw, including the submission of a notarized letter declaring owner-occupancy.

(Endorsed by Planning Board, Unanimous Yes)

(Vote – 2/3 required – Unanimous Yes)

Article 22

Voted to appropriate from the Community Preservation Fund estimated annual revenues the sum of \$2,000 for the administrative expenses of the Committee in FY 2015; and that the Town reserve for future appropriation from the Community Preservation Fund estimated annual revenues the amounts recommended by the Community Preservation Committee, with each item to be considered a separate reserve:

- \$30,422 from FY 2015 Community Preservation Fund revenues for Open Space
- \$30,422 from FY 2015 Community Preservation Fund revenues for Historic Resources
- \$30,422 from FY 2015 Community Preservation Fund revenues for Community Housing,

And to appropriate and transfer \$51,000 from the Community Preservation Fund Balance to pay the debt service on the bonds issued under Article 26 at the May 10, 2010 Annual Town Meeting,

And to appropriate and transfer \$36,050 from the Community Preservation Fund Balance to pay the debt service on the bonds issued under Article 29 of the May 14, 2012 Annual Town Meeting,

And further to appropriate and transfer \$41,190 from the Community Preservation Fund Balance to pay the debt service on the bonds issued under Article 33 of the May 14, 2012 Annual Town Meeting. (Endorsed by Community Preservation Committee 8-0-0 Yes)

(Vote Majority Yes)

Article 23

Voted to appropriate and transfer \$40,000 from the Community Preservation Fund Balance for the purpose of creating and rehabilitating Jessica's Boundless Playground, such funds to be used to prepare the recreational land and equip and install recreational facilities thereon, with such funds to be expended under the direction of the School Department. (Endorsed by Community Preservation Committee 8-0-0 Yes)

(Vote – Unanimous Yes)

Article 24

Voted to appropriate and transfer \$4,900 from the Community Preservation Fund Historic Reserve for the grave stone preservation and restoration project at the historic Hillcrest Cemetery, with such funds to be expended under the direction of the Veterans' Graves Officer of the Town of Belchertown. (Endorsed by Community Preservation Committee 8-0-0 Yes)

(Vote – Unanimous Yes)

Article 25 Voted to appropriate and transfer \$35,000 from the Community Preservation Fund Balance for the purpose of creating, preserving and rehabilitating recreational facilities by designing and constructing a new skate park at the existing skate park location, with such funds to be expended under the direction of the Skate Park Committee. (Endorsed by Community Preservation Committee 8-0-0 Yes)
(Vote – Majority Yes)

Article 26 Voted to appropriate and transfer \$4,900 from the Community Preservation Fund Balance for the purpose of preserving and rehabilitating Foley Field by installing a fence, gate and pedestrian pathway at the entrance of said field to secure said field and protect the playing surfaces thereof, with said funds to be expended under the direction of Recreation Department. (Endorsed by Community Preservation Committee 8-0-0 Yes)
(Vote – Unanimous Yes)

Article 27 Voted to appropriate and transfer \$23,000 from the Community Preservation Fund Historic Reserve for the purpose of rehabilitating the historic St. Francis Parish office building located at 10 Park Street, within the Belchertown Historic District, by replacing 66 windows with historically accurate windows approved by the Belchertown Historic District Commission, pursuant to a grant agreement with the St. Francis Parish, and authorize the Board of Selectmen, in consultation with the Historic District Commission and the Community Preservation Committee, to enter into said grant agreement, which agreement shall require a historic preservation restriction to be imposed on the property and set forth the other terms and conditions under which such funds may be expended, and, further, authorize the Board of Selectmen to acquire said restriction. Endorsed by Community Preservation Committee 8-0-0 Yes)
(Vote – Majority Yes)

Article 28 Voted to appropriate and transfer \$35,000 from the Community Preservation Fund Balance for the purpose of preserving and rehabilitating the historic Clapp Memorial Library, located at 19 South Main Street, by preserving the wood trim and detail, including the dormers and cupola, repairing the upper windows thereof, painting the windows, casings, dormers, cupola and trim, and other work related thereto. (Endorsed by Community Preservation Committee 8-0-0 Yes)
(Vote – Unanimous Yes)

Article 29 Voted to appropriate and transfer \$60,000 from the Community Preservation Fund Community Housing Reserve for the purpose of acquiring, creating and/or supporting community housing by granting such funds to HAP Housing to provide first-time homebuyers earning no more than eighty percent (80%) of the area median income with assistance with down-payments and/or closing costs to enable such buyers to purchase homes, pursuant to a grant agreement with HAP Housing, and authorize the Board of Selectmen to enter into said grant agreement, which agreement shall set forth the terms and conditions under which such funds may be expended. Endorsed by Community Preservation Committee 8-0-0 Yes)
“Much Discussion”

A motion was made to “Move the Question”.
Vote – 2/3 required – 2/3 Yes)

A voted was taken on Article 29.
(Vote – Majority Yes)

Article 30 Voted to “Take No Action” to amend the Economic Development & Industrial corporation’s Economic Development Plan..

**Town of Belchertown
Economic Development & Industrial Corporation
Economic Development Plan
May 12, 2014**

I. Overview

The Belchertown Economic Development and Industrial Corporation was established by an act , MGL 121 c, of the Massachusetts Legislature in 1992, for the purpose of transforming the former Belchertown State School after closing into an economic contributor to the Town and to the State through the creation of jobs and tax base resulting from new enterprise.

II. Economic Development Plan

A. Introduction

The Belchertown Economic Development & Industrial Corporation (BEDIC) has been working on redevelopment of the former State School property since acquiring it from the State in 2002. Under the terms of that acquisition, such redevelopment must be in accord with a Town-approved Economic Development Plan. The 2001 Annual Town Meeting approved the first BEDIC Economic Development Plan, which was valid for seven years. That plan was approved at Town Meeting in 2009 and is being submitted to the Town for renewal of approval so the development of the property may continue. The revised Economic Development Plan now covers only the portion of the property originally acquired from the State which is still owned by the BEDIC.

B. Project History

Since the original Economic Development Plan was approved by Town Meeting in 2001, several changes to the project area have occurred through transfers and sales.

Six individual lots on Parcels B and D, totaling 14.1 acres, have been sold to individual developers to date. Parcel E, 43 acres, has experienced near complete development with multiple businesses and public facilities already established. Although development of Parcel E and one of the lots on Parcel B continues, these six sales have produced a total assessed evaluation of \$12,441,000 (in 2013 value) and 132 full-time and another 73 part-time jobs for the community. The BEDIC also transferred a 66 acre Foley Field-Lake Wallace parcel to the Town for recreation.

C. Site Description

The property, when initially conveyed from the State to the BEDIC, comprised four parcels, B, C, D and E, totaling approximately 272 acres (see Map 1). Following subsequent sales and transfers to the Town and State, the BEDIC still owns the majority of two parcels, B and D, totaling approximately 95 acres. This is what now comprises the "Site" (see Map). The Site is owned outright and managed by the BEDIC. It encompasses the majority of the main campus of the former State School complex (on Parcel B), as well as the remainder of the partially-developed Parcel D on the east side of Route 21.

D. Site Location and Access

The site under control of the EDIC remains in two (2) parcels: Parcel B and Parcel D. Parcel B is located between State Street, Route 202 and Jackson Street. It is accessed from Route 202 or Jackson Street.

Parcel D is located on Turkey Hill Road, Route 21, just south of its junction with Route 202. Access is from Route 21.

E. Proposed Development

It is the intent of the BEDIC to continue to work with the State, the Town, local and regional boards and groups and appropriate business interests to create and implement a viable set of development projects resulting in increased Town tax revenue, the creation of new jobs and/or retention of existing jobs in the area. In addition, selected portions of the Site may be developed for recreational or other uses which will be of benefit to the Town. As this development continues, the BEDIC will transfer ownership of parcels of the property using established guidelines and processes to serve the best interests of the Town of Belchertown.

On Parcel D, the BEDIC will continue to work toward an approved subdivision plan which will permit the sale and development of additional lots. Efforts will also continue to achieve the redevelopment of parcel B. At this point, however, the vast majority of the area remaining for redevelopment in Parcel B consists of the main campus with its contaminated buildings and tunnels. Discussions and negotiations with potential developers over the past years have indicated clearly that private funding for redevelopment of this area will not be available until that contamination has been remediated; private investors are simply unwilling to assume the cost, and the risk of such an extensive decontamination effort. Fortunately, thanks to the efforts of our legislative delegation, State funding of \$10 million for remediation has been authorized for bonding and has been further approved by the Governor. This funding has not yet been released for remediation of the site. When released it will be administered by Mass Development and will be an important aid in achieving further redevelopment of the campus area.

Although details of further development remain to be defined, for the present the BEDIC will continue to pursue site development in a coordinated approach. The BEDIC supports the concept of mixed use and multiple individual businesses, either under the guidance of a master developer or as a series of separate but coordinated projects. This might include projects such as: offices, retail businesses, light industry, appropriate residential such as assisted living, related continuum of care units, health facilities, “live/work” units, recreation, tourism and technology and education projects. Further expansion of municipal facilities may also be possible. We believe that the resource which was the former Belchertown State School is critical to the Town’s future and we are committed to promoting the best and most appropriate development of the property.

F. Site Resources and Infrastructure

Parcel D is wooded and undeveloped.

Parcel B is the remainder of the “main campus” of the former State School and contains all the remaining buildings, paved and unpaved roads and fields. There are unused service tunnels throughout the property. The property is closed to vehicular and pedestrian traffic. The site is contaminated in many areas and the buildings are closed.

G. Zoning

Parcel B is zoned primarily as Business B with a smaller area zoned as Agricultural A. The entire parcel is covered by a zoning district as a “Business Neighborhood Center” zone, approved by Town Meeting in 2014. Parcel D is zoned entirely “Agricultural A”. Zoning changes may be requested by the EDIC depending on the nature of the proposals for development which are received.

H. The Role of the Town, MassDevelopment and the Division of Capital Asset Management (DCAM)

The EDIC works closely with the leadership of the Town and with Town departments and boards to plan and approve development proposals. The parcels under BEDIC management have current subdivision plans approved by the Planning Board. These plans provide a general guide for the sale of lots for business. The plan is amended from time to time to accommodate specific needs of a particular project to allow for sufficient area, access or location. Further modifications of the plans will be developed with our Agent and current Master Developer, MassDevelopment.

For each area of either parcel a purchase and sale agreement is entered into by the EDIC with a purchaser. That specific sale must be certified by the Planning Board as being in keeping with this Town approved article. That certification is forwarded to the Massachusetts Division of Capital Asset Management. DCAM then gives final approval to the transfer of the designated parcel.

A motion was made to Take no Action.

(Vote – Unanimous – Take No Action)

Meeting adjourned at 9:45PM

Attest:

William R. Barnett
Town Clerk